

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JAMES ROBERT SIMS,

Defendant.

NO. CR18-262 JLR

DISCOVERY PROTECTIVE ORDER

This matter, having come to the Court's attention on the Stipulation for Entry of a Discovery Protective Order submitted by the United States of America and Defendant James Robert Sims, and the Court, having considered the motion, and being fully advised in this matter, hereby enters the following PROTECTIVE ORDER:

1. Protected Material

The following documents and materials, which does not include any materials produced by the government at bates 000001-000366, are deemed Protected Material. The United States will make available copies of the Protected Materials, including those filed under seal, to defense counsel to comply with the government's discovery obligations. Possession of copies of the Protected Materials is limited to the attorneys of record, and

1 investigators, paralegals, law clerks, experts, and assistants for the attorneys of record
2 (hereinafter collectively referred to as members of the defense team). This category of
3 Protected Materials will be marked and labeled as "Protected Material":

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- 5 a. Grand Jury transcripts and exhibits.
- 6 b. Victim/Witness statements, including but not limited to reports of
7 law enforcement officers memorializing witness/victim statements, audio/video
8 recordings of interviews of victims and witnesses, and anti-harassment or protection
9 order hearings and applications.
- 10 c. Records, reports, and documents related to medical visits and
11 examinations, children's advocacy centers and agencies, Child Protective Services, and
12 schools.
- 13 d. The personal information related to victim/witnesses, and any
14 statements and documents containing personal information about or related to any
15 victims and witnesses provided by the government in discovery is deemed Protected
16 Material. As used in this Order, the term "personal information" refers to each victim
17 and witness's full name, date of birth, Social Security number (or other identification
18 information), driver's license number, address, telephone number, location of residence
19 or employment, school records, juvenile criminal records, and other confidential
20 information.

21 2. Scope of Review of Protected Material

22 Defense attorneys of record and members of the defense team may display and
23 review the Protected Material with the Defendant. The attorneys of record and members
24 of the defense team acknowledge that providing copies of the Protected Material to the
25 Defendant and other persons is prohibited, and agree not to duplicate or provide copies of
26 Protected Material to the Defendant and other persons.

1 3. Parties' Reciprocal Discovery Obligations

2 Nothing in this order should be construed as imposing any discovery obligations
3 on the government or the defendant that are different from those imposed by case law and
4 Rule 16 of the Federal Rules of Criminal Procedure, and the Local Criminal Rules.

5 4. Filing of Protected Material

6 Any Protected Material that is filed with the Court in connection with pre-trial
7 motions, trial, sentencing, or other matter before this Court, shall be filed under seal and
8 shall remain sealed until otherwise ordered by this Court. This does not entitle either
9 party to seal their filings as a matter of course. The parties are required to comply in all
10 respects to the relevant local and federal rules of criminal procedure pertaining to the
11 sealing of court documents.

12 5. Nontermination

13 The provisions of this Order shall not terminate at the conclusion of this
14 prosecution.

15 6. Violation of Protective Order

16 Any violation of any term or condition of this Order by the Defendant, his
17 attorney(s) of record, any member of the defense team, or any attorney for the
18 United States Attorney's Office for the Western District of Washington, may be held in
19 contempt of court, and/or may be subject to monetary or other sanctions as deemed
20 appropriate by this Court.

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1 If the Defendant violates any term or condition of this Order, the United States
2 reserves its right to seek a sentencing enhancement for obstruction of justice, or to file
3 any criminal charges relating to the Defendant's violation.

4 DATED this 28th day of December, 2018.

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7 
8 JAMES L. ROBART
9 United States District Judge

10 Presented by:

11 /s/ Matthew P. Hampton
12 MATTHEW P. HAMPTON

13 /s/ Mohammad Ali Hamoudi
14 MOHAMMAD ALI HAMOUDI